

STAND. COM. REP. NO.

3461

Honolulu, Hawaii

APR 16 2014

RE: H.C.R. No. 14
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2014
State of Hawaii

Madam:

Your Committee on Water and Land, to which was referred
H.C.R. No. 14 entitled:

"HOUSE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A
LEASE AND EASEMENT OF CERTAIN SUBMERGED LANDS AT MANELE BAY,
LANA'I, TO LANA'I RESORTS, LLC,"

begs leave to report as follows:

The purpose and intent of this measure is to authorize the
issuance of a lease and easement of certain submerged lands at
Manele Bay, Lana'i, to Lana'i Resorts, LLC.

Your Committee received testimony in support of this measure
from the Department of Land and Natural Resources.

Your Committee finds that the Legislature authorized the
issuance of a similar lease and easement to Castle & Cooke, Inc.,
who then renamed the corporation to Lana'i Resorts, LLC, which was
subsequently purchased by Larry Ellison. The initial lease and
easement called for a marina to be built, but after the recent
tsunami events it was determined that a marina would not be
feasible in this area and a single floating dock would be more
appropriate. In consideration of today's growth with Lana'i as a
destination point, the Division of Boating and Ocean Recreation
has determined that a floating loading dock is much needed at the
harbor and could be built to withstand another tsunami of moderate
impact. The Department of Land and Natural Resources stated in
testimony that it also appreciates Lana'i Resorts, LLC's commitment



to maintaining the Manele Small Boat Harbor landscaping and ferry passenger waiting areas.

The Board of Land and Natural Resources voted on November 8, 2013, to authorize the termination of the lease and easements executed with Castle & Cooke Resorts, LLC, and to authorize the issuance of a new fifty-five year lease and easement by way of direct negotiation with Lana'i Resorts, LLC, of certain submerged lands and fast lands at Manele Small Boat Harbor on the island of Lana'i identified as tax map key (2) 4-9-17:06. The new lease will provide for the construction, maintenance, and use of submerged lands for the floating and loading dock and for mooring approved by the Division of Boating and Ocean Recreation.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 14, as amended herein, and recommends that it be referred to the Committee on Ways and Means, in the form attached hereto as H.C.R. No. 14, S.D. 1.

Respectfully submitted on
behalf of the members of the
Committee on Water and Land,


MALAMA SOLOMON, Chair

The Senate
Twenty-Seventh Legislature
State of Hawai'i

Record of Votes
Committee on Water and Land
WTL

Bill / Resolution No.:* <div style="font-size: 1.5em; font-family: cursive;">HCR14</div>	Committee Referral: <div style="font-size: 1.5em; font-family: cursive;">WTL, WAM</div>	Date: <div style="font-size: 1.5em; font-family: cursive;">4/15/14</div>		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"> <input type="checkbox"/> Pass, unamended 2312 </div> <div style="text-align: center;"> <input checked="" type="checkbox"/> Pass, with amendments 2311 </div> <div style="text-align: center;"> <input type="checkbox"/> Hold 2310 </div> <div style="text-align: center;"> <input type="checkbox"/> Recommit 2313 </div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
SOLOMON, Malama (C)	✓			
GALUTERIA, Brickwood (VC)	✓			
DELA CRUZ, Donovan M.				✓
IHARA, Jr., Les				✓
RUDERMAN, Russell E.	✓			
SHIMABUKURO, Maile S.L.	✓			
TANIGUCHI, Brian				✓
THIELEN, Laura H.				✓
SLOM, Sam	✓			
TOTAL	6	0	0	4
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted </div>				
Chair's or Designee's Signature: <div style="text-align: center; margin-top: 10px;"> </div>				
Distribution: <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <div style="text-align: center;">Original File with Committee Report</div> <div style="text-align: center;">Yellow Clerk's Office</div> <div style="text-align: center;">Pink Drafting Agency</div> <div style="text-align: center;">Goldenrod Committee File Copy</div> </div>				

***Only one measure per Record of Votes**